

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PB LIFE AND ANNUITY CO., LTD.,
et al.,¹

Debtors in Foreign Proceedings.

Chapter 15

Case No. 20-12791 (LGB)

(Jointly Administered)

**MOTION TO EXCEED PAGE LIMITATION FOR REPLY IN FURTHER SUPPORT
OF MOTION FOR A FURTHER ORDER COMPELLING TURNOVER OF BOOKS
AND RECORDS AND ATTORNEY FILES
PURSUANT TO 11 U.S.C. §§ 105, 542, 1519(A)(3), 1521(A)(4) & 1521(A)(7)**

Rachelle Frisby and John Johnston of Deloitte Ltd. (“Deloitte”), the joint provisional liquidators and authorized foreign representatives (“Petitioners” or “JPLs”) for PB Life and Annuity Co., Ltd. (“PBLA”), Northstar Financial Services (Bermuda) Ltd. (“Northstar”) and Omnia Ltd. (“Omnia”, together with PBLA and Northstar, the “Debtors”), through their undersigned counsel, Stevens & Lee, P.C. (“S&L”), hereby move the Court for an order allowing them up to six (6) additional pages (the “Motion”) for their *Reply in Further Support of Motion for a Further Order Compelling Turnover of Books and Records and Attorney Files Pursuant to 11 U.S.C. §§ 105, 542, 1519(a)(3), 1521(a)(4) & 1521(a)(7)* (the “Reply”). In support of this Motion, the JPLs respectfully represent as follows:

1. On May 3, 2021, the JPLs filed the *Motion for a Further Order Compelling Turnover of Books and Records and Attorney Files Pursuant to 11 U.S.C. §§ 105, 542, 1519(a)(3), 1521(a)(4) & 1521(a)(7)* (the “Motion to Compel”)² [Docket No. 47].

¹ PB Life and Annuity Co., Ltd., Northstar Financial Services (Bermuda) Ltd., Omnia Ltd. and PB Investment Holdings Ltd., foreign Debtors, are Bermuda limited companies which have a registered address in Bermuda c/o Deloitte Ltd., Corner House, 20 Parliament Street, Hamilton HM 12, Bermuda, and are Jointly Administered for procedural purposes, by Order of this Court entered on April 2, 2021, ECF No. 42.

2. On May 18, 2021, the Law Firms, Lindberg and Global Growth (the “Respondents”) filed the *Response in Opposition to the Petitioners’ Motion for a Further Order Compelling Turnover of Books and Records and Attorney Files* (the “Response”) [Docket No. 52].

3. In light of the Response, S&L took the deposition of Anuj Sharma who submitted a certification in support of the Response, averring, *inter alia*, that the complete books and records were turned over to the JPLs. The hearing on the Motion to Compel was adjourned to allow for Mr. Sharma’s deposition; the deposition was held on June 1, 2021.

4. Based on Mr. Sharma’s deposition testimony, the JPLs were constrained to also take the deposition of Mr. Eric Bostic on June 10, 2021.

5. Chamber Rules limit reply briefs to fifteen (15) pages unless the Court grants express permission to submit a longer brief. In light of the additional discovery required concerning the Turnover Motion, and the importance of the evidence derived from the testimony of Mr. Sharma and Mr. Bostic, the JPLs’ Reply resulted in a twenty-one (21) page brief which has been filed with the Court.

6. Given the importance of a timely decision on the issues addressed by the Reply, the JPLs wish to present their arguments in the most efficient manner possible. Despite counsel’s best efforts, the Reply is six (6) pages over the limit set by this Court. The JPLs therefore request the Court’s permission to exceed the page limit by six (6) pages.

² Capitalized terms used and not defined herein shall have the meaning ascribed to such terms in the Motion to Compel.

WHEREFORE, the JPLs respectfully request entry of an order, substantially in the form attached to this Motion, authorizing the JPLs to exceed the fifteen (15) page limit for the Reply, not to exceed twenty-one (21) pages.

Dated: June 21, 2021
New York, New York

STEVENS & LEE, P.C.

By: /s/ Nicholas F. Kajon
Nicholas F. Kajon
Constantine D. Pourakis
Eric M. Robinson
Andreas D. Milliaressis
485 Madison Avenue, 20th Floor
New York, New York 10022
Telephone: 212-319-8500
Facsimile: 212-319-8505
Nicholas.kajon@stevenslee.com
Constantine.pourakis@stevenslee.com
Eric.robinson@stevenslee.com
Andreas.milliaressis@stevenslee.com

*Counsel for the Petitioners Rachelle Frisby
and John Johnston, in their capacity as
Joint Provisional Liquidators and Foreign
Representatives*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PB LIFE AND ANNUITY CO., LTD.,
et al.,³

Debtors in Foreign Proceedings.

Chapter 15

Case No. 20-12791 (LGB)

(Jointly Administered)

**ORDER GRANTING MOTION TO EXCEED PAGE LIMITATION FOR REPLY IN
FURTHER SUPPORT OF MOTION FOR A FURTHER ORDER COMPELLING
TURNOVER OF BOOKS AND RECORDS AND ATTORNEY FILES PURSUANT TO
11 U.S.C. §§ 105, 542, 1519(A)(3), 1521(A)(4) & 1521(A)(7)**

Upon the Motion of Rachelle Frisby and John Johnston of Deloitte Ltd. (“Deloitte”), the joint provisional liquidators and authorized foreign representatives (“Petitioners” or “JPLs”) for PB Life and Annuity Co., Ltd. (“PBLA”), Northstar Financial Services (Bermuda) Ltd. (“Northstar”) and Omnia Ltd. (“Omnia”, together with PBLA and Northstar, the “Debtors”), for entry of an Order authorizing the JPLs’ *Motion to Exceed the Page Limitation for Reply in Further Support of Motion for a Further Order Compelling Turnover of Books and Records and Attorney Files Pursuant to 11 U.S.C. §§ 105, 542, 1519(a)(3), 1521(a)(4) & 1521(a)(7)*; due and proper notice of the Motion having been provided; and it appearing that no other or further notice need be provided; and it appearing that there is good cause for the relief requested in the Motion;

IT IS HEREBY ORDERED, that

1. The Motion is GRANTED.

³ PB Life and Annuity Co., Ltd., Northstar Financial Services (Bermuda) Ltd., Omnia Ltd. and PB Investment Holdings Ltd., foreign Debtors, are Bermuda limited companies which have a registered address in Bermuda c/o Deloitte Ltd., Corner House, 20 Parliament Street, Hamilton HM 12, Bermuda, and are Jointly Administered for procedural purposes, by Order of this Court entered on April 2, 2021, ECF No. 42.

2. The Court will consider the Reply, as filed, with a length of not more than twenty-one (21) pages, excluding tables of contents and authorities.

Dated: June __, 2021

UNITED STATES BANKRUPTCY JUDGE